

Application No.: 10/714,966

Docket No.: 20140-00308-US1

REMARKS

Reconsideration of claims 1-10, 32-39, 41 and 45 is respectfully requested. Claims 1, 3, 4, 32 and 34-36 are amended. Claim 1 was amended to include the "13.2 atom percent" limitation of objected claim 40. Claim 32 was amended to include the "13.2 atom percent" limitation of objected claim 44. Claims 40 and 44 are canceled.

Applicants have also canceled all of the withdrawn claims in the application.

In response to the After Final rejection applicants amended claim 1 to include the limitation of objected claim 40. Applicants also amended claim 32 to include the limitation of objected claim 44 as well as deleting the term "amorphous" from claim 32. In response to this Amendment after Final, the examiner did not enter the claim amendments because the deletion of the term amorphous was said to raise a new issue.

Applicants now file a Second Supplemental Amendment After Final, which maintains the term "amorphous" in claim 32. Applicants spoke with the examiner on October 14, 2005 to discuss this Amendment and requested that the application be allowed because applicants amended both independent claims to incorporate the limitations of previously objected dependent claims.

The examiner, in turn, raised the argument that by changing the range of phosphorus in the claimed $\text{Co}_x\text{W}_y\text{P}_z$ films, that is, by changing the value of z from 11-25 at% to 13.2-25 at%, claims 3, 4 and 34-36 would be rendered indefinite under 35 USC 112, second paragraph. To resolve the potential of any inconsistency between the recited range for x , y and z in the amended independent claims 1 and 32, applicants have amended claims 3, 4 and 34-36 to remove any possible inconsistency as explained below. The newly recited range for x in claims 3 and 34, $0.75 < x < 0.85$, and for x in claims 4 and 35, is supported on page 6, second paragraph of the application.

Given that the claimed range of z is amended to 13.2 to 25 atom percent and given the expression $z = (1 - (x + y))$ follows that $(x + y)$ is defined by the following expression, $0.868 \geq x + y \geq 0.75$, and that claims 3, 4 and 34-35 further narrow the compositional range of the CoWP films of claims 1 and 32. Amended claim 36 is supported by page 9, lines 15-21 in

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the application. Accordingly, applicants respectfully request that the amendments be entered after final, and the claims be allowed.

Applicants believe the pending application is in condition for allowance.

Please charge our Deposit Account No. 50-0510 under Order No. 20140-00308-US1 from which the undersigned is authorized to draw for any fees due with this Amendment.

Dated: November 10, 2005

Respectfully submitted,

By 

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